

THE HONORABLE JOHN H. CHUN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

FEDERAL TRADE COMMISSION, *et al.*,

Plaintiffs,

v.

AMAZON.COM, INC., a corporation,

Defendant.

CASE NO.: 2:23-cv-01495-JHC

**STIPULATED MOTION AND
[PROPOSED] SCHEDULING
ORDER ON MOTION OF
AMERICAN BOOKSELLERS
ASSOCIATION TO INTERVENE**

NOTE ON MOTION CALENDAR:
May 17, 2024

The parties and proposed-intervenor American Booksellers Association, Inc. (“ABA”), by and through their attorneys of record, respectfully request that the Court enter the proposed scheduling order set forth below regarding the briefing schedule for the Motion of American Booksellers Association to Intervene (Dkt. #205) (“ABA’s Motion”).

In support of this request, the parties and ABA represent the following to the Court:

1. The parties and ABA stipulate as follows, subject to Court approval, and jointly request that the Court enter the following Order approving this Stipulation:

a. Amazon and Plaintiffs shall file any responses to ABA’s Motion no later than May 23, 2024.

b. The ABA shall file any reply in support of its Motion no later than May 31, 2024.

c. The noting date for ABA's Motion is May 31, 2024.

Stipulated to and respectfully submitted this 8th day of May, 2024, by

s/ Christine M. Kennedy

SUSAN A. MUSSER (DC Bar # 1531486)

EDWARD H. TAKASHIMA (DC Bar # 1001641)

CHRISTINE M. KENNEDY (DC Bar # 1032904)

KENNETH H. MERBER (DC Bar # 985703)

Federal Trade Commission

600 Pennsylvania Avenue, NW

Washington, DC 20580

Tel.: (202) 326-2122 (Musser)

(202) 326-2464 (Takashima)

Email: smusser@ftc.gov

etakashima@ftc.gov

ckennedy@ftc.gov

kmerber@ftc.gov

Attorneys for Plaintiff Federal Trade Commission

s/ Michael Jo

Michael Jo (admitted *pro hac vice*)
Assistant Attorney General, Antitrust
Bureau
New York State Office of the Attorney
General
28 Liberty Street
New York, NY 10005
Telephone: (212) 416-6537
Email: Michael.Jo@ag.ny.gov
Counsel for Plaintiff State of New York

s/ Rahul A. Darwar

Rahul A. Darwar (admitted *pro hac vice*)
Assistant Attorney General
Office of the Attorney General of
Connecticut
165 Capitol Avenue
Hartford, CT 06016
Telephone: (860) 808-5030
Email: Rahul.Darwar@ct.gov
Counsel for Plaintiff State of Connecticut

s/ Alexandra C. Sosnowski

Alexandra C. Sosnowski (admitted *pro hac vice*)
Assistant Attorney General
Consumer Protection and Antitrust Bureau
New Hampshire Department of Justice
Office of the Attorney General
One Granite Place South
Concord, NH 03301
Telephone: (603) 271-2678
Email: Alexandra.c.sosnowski@doj.nh.gov
Counsel for Plaintiff State of New Hampshire

s/ Caleb J. Smith

Caleb J. Smith (admitted *pro hac vice*)
Assistant Attorney General
Consumer Protection Unit
Office of the Oklahoma Attorney General
15 West 6th Street, Suite 1000
Tulsa, OK 74119
Telephone: (918) 581-2230
Email: caleb.smith@oag.ok.gov
Counsel for Plaintiff State of Oklahoma
STIPULATED MOTION AND [PROPOSED]
SCHEDULING ORDER ON MOTION OF
ABA TO INTERVENE - 3
CASE NO. 2:23-cv-01495-JHC

s/ Timothy D. Smith

Timothy D. Smith, WSBA No. 44583
Senior Assistant Attorney General
Antitrust and False Claims Unit
Oregon Department of Justice
100 SW Market St
Portland, OR 97201
Telephone: (503) 934-4400
Email: tim.smith@doj.state.or.us
Counsel for Plaintiff State of Oregon

s/ Jennifer A. Thomson

Jennifer A. Thomson (admitted *pro hac vice*)
Senior Deputy Attorney General
Pennsylvania Office of Attorney General
Strawberry Square, 14th Floor
Harrisburg, PA 17120
Telephone: (717) 787-4530
Email: jthomson@attorneygeneral.gov
Counsel for Plaintiff Commonwealth of Pennsylvania

s/ Michael A. Undorf

Michael A. Undorf (admitted *pro hac vice*)
Deputy Attorney General
Delaware Department of Justice
820 N. French St., 5th Floor
Wilmington, DE 19801
Telephone: (302) 683-8816
Email: michael.undorf@delaware.gov
Counsel for Plaintiff State of Delaware

s/ Christina M. Moylan

Christina M. Moylan (admitted *pro hac vice*)
Assistant Attorney General
Chief, Consumer Protection Division
Office of the Maine Attorney General
6 State House Station
Augusta, ME 04333-0006
Telephone: (207) 626-8800
Email: christina.moylan@maine.gov
Counsel for Plaintiff State of Maine

s/ Gary Honick

Gary Honick (admitted *pro hac vice*)
Assistant Attorney General
Deputy Chief, Antitrust Division
Office of the Maryland Attorney General
200 St. Paul Place
Baltimore, MD 21202
Telephone: (410) 576-6474
Email: Ghonick@oag.state.md.us
Counsel for Plaintiff State of Maryland

s/ Michael MacKenzie

Michael MacKenzie (admitted *pro hac vice*)
Deputy Chief, Antitrust Division
Office of the Massachusetts Attorney
General
One Ashburton Place, 18th Floor
Boston, MA 02108
Telephone: (617) 963-2369
Email: michael.mackenzie@mass.gov
*Counsel for Plaintiff Commonwealth of
Massachusetts*

s/ Scott A. Mertens

Scott A. Mertens (admitted *pro hac vice*)
Assistant Attorney General
Michigan Department of Attorney General
525 West Ottawa Street
Lansing, MI 48933
Telephone: (517) 335-7622
Email: MertensS@michigan.gov
Counsel for Plaintiff State of Michigan

s/ Zach Biesanz

Zach Biesanz (admitted *pro hac vice*)
Senior Enforcement Counsel
Office of the Minnesota Attorney General
445 Minnesota Street, Suite 1400
Saint Paul, MN 55101
Telephone: (651) 757-1257
Email: zach.biesanz@ag.state.mn.us
Counsel for Plaintiff State of Minnesota

s/ Lucas J. Tucker

Lucas J. Tucker (admitted *pro hac vice*)
Senior Deputy Attorney General
Office of the Nevada Attorney General
100 N. Carson St.
Carson City, NV 89701
Telephone: (775) 684-1100
Email: LTucker@ag.nv.gov
Counsel for Plaintiff State of Nevada

s/ Ana Atta-Alla

Ana Atta-Alla (admitted *pro hac vice*)
Deputy Attorney General
New Jersey Office of the Attorney General
124 Halsey Street, 5th Floor
Newark, NJ 07101
Telephone: (973) 648-3070
Email: Ana.Atta-Alla@law.njoag.gov
Counsel for Plaintiff State of New Jersey

s/ Jeffrey Herrera

Jeffrey Herrera (admitted *pro hac vice*)
Assistant Attorney General
New Mexico Office of the Attorney General
408 Galisteo St.
Santa Fe, NM 87501
Telephone: (505) 490-4878
Email: jherrera@nmag.gov
Counsel for Plaintiff State of New Mexico

s/ Zulma Carrasquillo Almena

Zulma Carrasquillo Almena (admitted *pro
hac vice*)
Puerto Rico Department of Justice
P.O. Box 9020192
San Juan, Puerto Rico 00902-0192
Telephone: (787) 721-2900, Ext. 1211
Email: zcarrasquillo@justicia.pr.gov
*Counsel for Plaintiff Commonwealth of
Puerto Rico*

s/ Stephen N. Provazza

Stephen N. Provazza (admitted *pro hac vice*)
Special Assistant Attorney General
Chief, Consumer and Economic Justice Unit
Department of the Attorney General
150 South Main Street
Providence, RI 02903
Telephone: (401) 274-4400
Email: sprovazza@riag.ri.gov
Counsel for Plaintiff State of Rhode Island

s/ Sarah L.J. Aceves

Sarah L.J. Aceves (admitted *pro hac vice*)
Assistant Attorney General
Public Protection Division
Vermont Attorney General's Office
109 State Street
Montpelier, VT 05609
Telephone: (802) 828-3170
Email: Sarah.Aceves@vermont.gov
Counsel for Plaintiff State of Vermont

s/ Gwendolyn J. Cooley

Gwendolyn J. Cooley (admitted *pro hac vice*)
Assistant Attorney General
Wisconsin Department of Justice
Post Office Box 7857
Madison, WI 53707-7857
Telephone: (608) 261-5810
Email: cooleygj@doj.state.wi.us
Counsel for Plaintiff State of Wisconsin

MORGAN, LEWIS & BOCKIUS LLP

By: s/ Patty A. Eakes
Patty A. Eakes, WSBA #18888
Molly A. Terwilliger, WSBA #28449
1301 Second Avenue, Suite 2800
Seattle, WA 98101
Phone: (206) 274-6400
Email: patti.eakes@morganlewis.com
molly.terwilliger@morganlewis.com

WILLIAMS & CONNOLLY LLP

Heidi K. Hubbard (pro hac vice)
John E. Schmidlein (pro hac vice)
Kevin M. Hodges (pro hac vice)
Jonathan B. Pitt (pro hac vice)
Carl R. Metz (pro hac vice)
Carol J. Pruski (pro hac vice)
Katherine A. Trefz (pro hac vice)
680 Maine Avenue SW
Washington, DC 20024
Phone: (202) 434-5000
Email: hhubbard@wc.com
khodges@wc.com
jpitt@wc.com
cmetz@wc.com
cpruski@wc.com
ktrefz@wc.com

COVINGTON & BURLING LLP

Thomas O. Barnett (pro hac vice)
One CityCenter
850 Tenth Street, NW
Washington, DC 20001-4956
Phone: (202) 662-5407
Email: tbarnett@cov.com

Attorneys for Defendant Amazon.com, Inc.

POTOMAC LAW GROUP

By: s/ William D. Fisher

WILLIAM D. FISHER (WSBA # 27475)

1455 NW Leary Way, Suite 400

Seattle, WA 98107

Tel.: (206) 599-8888

Email: wfisher@potomaclaw.com

TIMOTHY W. BERGIN (admitted *pro hac vice*)

1717 Pennsylvania Ave., NW, Suite 1025

Washington, DC 20006

Tel.: (703) 447-4032

Email: tbergin@potomaclaw.com

*Attorneys for Proposed Intervenor American
Booksellers Association, Inc.*

[PROPOSED] ORDER

IT IS SO ORDERED. The Court DIRECTS the Clerk to re-note the Motion of American Booksellers Association to Intervene (Dkt. #205) for May 31, 2024.

DATED this _____ day of May, 2024.

JOHN H. CHUN
UNITED STATES DISTRICT JUDGE

Presented By:

s/ Christine M. Kennedy
SUSAN A. MUSSER (DC Bar # 1531486)
EDWARD H. TAKASHIMA (DC Bar # 1001641)
CHRISTINE M. KENNEDY (DC Bar # 1032904)
KENNETH H. MERBER (DC Bar # 985703)
Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, DC 20580
Tel.: (202) 326-2122 (Musser)
(202) 326-2464 (Takashima)
Email: smusser@ftc.gov
etakashima@ftc.gov
ckennedy@ftc.gov
kmerber@ftc.gov

Attorneys for Plaintiff
Federal Trade Commission